

THE OFFICE ACTION

Applicants have now had an opportunity to carefully consider the Examiner's comments set forth in the Office Action of October 8, 2003.

Claims 1-9 and 14-16 were rejected under 35 U.S.C. 103(a) as being unpatentable over Hay et al (4,238,828) in view of Naimark et al (4,857,902).

Claims 10-13 were allowed, which is gratefully acknowledged.

The applicant has amended selected claims to provide a more complete scope of protection for the invention and present clarifying remarks believed to address the Examiner's rejections and place the claims in condition for allowance.

The applicant believes that this application is now in condition for allowance and early notice thereof is respectfully requested.

REMARKS

With respect to **claim 1**, the applicant has amended the claim to further include the limitations of detecting the locating device by also recognizing relative spacings between the indicia; and calculating corresponding projected image coordinate positions based also upon such spacings. As such, the applicant has amended the claim to better distinguish the subject invention from the teachings of the references of record and provide a more complete scope of protection for the invention. It is therefore respectfully submitted that claim 1 and claims 2-9 dependent therefrom distinguish patentably and unobviously over the references of record.

With respect to **claim 14**, the applicant has amended such claim to further include the spacings limitations similar to amended claim 1. As such, the applicant has amended the claim to better distinguish the subject invention from the teachings of the references of record and provide a more complete scope of protection for the invention. It is therefore respectfully submitted that claim 14 and claims 15 and 16 dependent therefrom distinguish patentably and unobviously over the references of record.

The applicant respectfully submits that the present Amendment removes issue for appeal, or in some other way, requires only a cursory review by the Examiner. The claims as amended do not raise any issues with regard to new matter, do not present new issues requiring further search or consideration and/or place the application into better for appeal. Accordingly, the amendment should be

entered and the application forwarded for issuance.

CONCLUSION

All formal and informal matter having been addressed, it is submitted all claims remaining in the application (Claims 1-16) are now in condition for allowance.

No additional fee is believed to be required for this Amendment After Final. However, the undersigned attorney of record hereby authorizes the charging of any necessary fees, other than the issue fee, to Xerox Deposit Account No. 24-0037.

In the event the Examiner believes a telephone call would clear up any minor matter, he is invited to call the undersigned.

Respectfully submitted,

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9/1/04
Date

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